

### **REMARKS**

Reconsideration of all grounds of objection and rejection, and allowance of all the pending claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-8 and 10-13, as amended remain pending herein. Claims 14 and 15 have been added hereby; support for new claims 14 and 15 is found in the specification at least at page 9, lines 20-27 and is shown at least in FIG. 1.

The Abstract, specification and claims have been amended as requested to change the spelling of synchronization to the U.S. version (the application used the European and Australian style). Applicant respectfully submits that all grounds of objection have been overcome.

Claim 1-4, 6-8 and 11-13 stand rejected under 35 U.S.C. §102(b) in view of Ciccarelli *et al.* (U.S. 2003/0139167) ("Ciccarelli"). Claims 5-6 and 9-10 stand rejected under 35 U.S.C. §103(a) over Ciccarelli in view of Zheng *et al.* (US 2004/0002323) ("Zheng"). Applicant respectfully traverses all grounds of rejection for the reasons indicated herein below.

Applicant respectfully submits that none of the present claims are anticipated by Ciccarelli. Ciccarelli does not disclose or in any way render obvious the recitation in claim 1 of a means for estimating the phase imbalance or gain imbalance ~~before synchronisation~~ prior to symbol synchronization.

Furthermore, Applicant has amended claim 1 to recite in part:

the receiver comprising means for estimating the phase imbalance or gain imbalance ~~before synchronisation~~ prior to symbol synchronization and for providing estimated and

compensated I and Q components of an incoming I/Q modulated signal for symbol synchronization.

Support for the above amendment to claim 1 is found at least at page 9, lines 22-24 and shown in FIG. 1. Similar amendments have been made to independent claims 7, 11, 12 and 13.

Accordingly, as recited in present claims, estimated and compensated I and Q components of an incoming IQ modulated signal are provided prior to symbol synchronization and these estimated and compensated signals are provided for input to a symbol synchronizer.

In contrast to the claimed invention, Ciccarelli is completely silent with regard to both estimated and compensated components, and also does not disclose or render obvious such components being provided prior to symbol synchronization for a symbol synchronizer (as now specifically claimed, for example, in new claim 14). Ciccarelli shows a correction circuit, which along with the rest of the disclosure, does not provide estimated and compensated I and Q components as claimed. Ciccarelli is also silent with regard to symbol synchronization as claimed.

Nor would any of independent claims 1, 7, 11, 12 and 13 have been obvious at the time of invention in view of Ciccarelli, Ciccarelli and Zheng and/or the ordinary level of skill in the art at the time of invention.

Accordingly, Applicant respectfully submits that none of the present claims are anticipated by Ciccarelli as this reference fails to disclose each and every element recited in the present claims.

In accordance with MPEP 2131, under 35 U.S.C. §102, according to the United States Court of Appeals for the Federal Circuit, a “claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” (*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added)). Therefore, to reject a feature, which is alleged to patentably distinguish the claim containing such feature, as being anticipated by a prior art, the Office Action must establish that the same feature is present in the prior art reference.

Reconsideration and withdrawal of all grounds of rejection under 35 U.S.C. §102(b) are respectfully requested.

With regard to the rejections under 35 U.S.C. §103(a) over the combination of Ciccarelli and Zheng, Applicant respectfully submits that the combination of references neither discloses nor renders obvious the combination of elements as recited in any of the claims. The combination of Ciccarelli and Zheng is completely silent with regard to both estimated and compensated I and Q components of an incoming I and Q modulated signal being provide for prior to and for symbol synchronization as recited in the present claims.

Nor would any of the claims have been obvious at the time of invention in view of the combination of references and/or the ordinary level of skill in the art (*KSR International v. Teleflex*, 127 S.Ct. 1727, 82 USPQ2d 1385 (2007)). Accordingly, neither the combination of references, nor the level of skill in the art, would have made any of the present claims obvious under 35 U.S.C. §103(a).

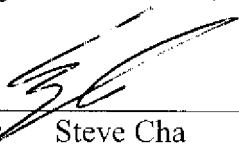
Finally, Applicant respectfully submits that with regard to new claims 14 and 15, neither Ciccarelli, nor Ciccarelli in combination with Zheng discloses or renders obvious

the receiver having the means for synchronization arranged as claimed. Claim 15 is also allowable at least for dependency from claims 1 and 14, and because of an independent basis.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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